

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

GLENN H. CASH, JR.,

Plaintiff

JO ANNE B. BARNHART,  
Commissioner of Social Security,

Defendant.

Case No. 4:05cv00069

**ORDER**

By: **Jackson L. Kiser**  
Senior United States District Judge

On December 16, 2005, this Court entered an order referring this case to the Honorable B. Waugh Crigler, United States Magistrate Judge, for proposed findings of fact and recommended disposition. Magistrate Judge Crigler filed his Report and Recommendation on July 24, 2006. After reviewing the record in this case and no objections having been filed to Magistrate Judge Crigler's Report and Recommendation within ten (10) days of its service upon the parties, this Court adopts Magistrate Judge Crigler's Report in its entirety. Accordingly, it is this day **ADJUDGED** and **ORDERED** as follows:

1. The Report and Recommendation of the United States Magistrate Judge, filed July 24, 2006 shall be, and hereby is, **ADOPTED** in its entirety.

2. For the reasons stated in Magistrate Judge Crigler's Report, the Commissioner's final decision is **REVERSED** and the case is **REMANDED** for further proceedings consistent with Magistrate Judge Crigler's Report. If the Commissioner is unable to grant benefits on

the current record, then the Commissioner is to recommit the case to an Administrative Law Judge to clarify the findings at the final level of the sequential evaluation process during which both sides will be allowed to introduce additional evidence.

3. The clerk is directed to strike this case from the active docket of this Court and to send certified copies of this Order to all counsel of record and to Magistrate Judge Crigler.

ENTERED this 14<sup>th</sup> day of August, 2006.

s/Jackson L. Kiser

Senior United States District Judge